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UNITED NATIONS CONFERENCE ON STRADDLING
FISH STOCKS AND HIGHLY MIGRATORY
FISH STOCKS
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SOME CONSIDERATIONS REGARDING THE QUESTION OF SECURING COMPLIANCE WITH CONSERVATION MEASURES FOR STRADDLING FISH STOCKS AND HIGHLY MIGRATORY FISH STOCKS

(Submitted by the delegation of the Russian Federation)

1. Measures to conserve straddling fish stocks and highly migratory fish stocks and arrangements for implementing those measures have their own unique aspects and should be worked out separately.

2. Enforcement of measures for effective conservation and management of straddling fish stocks is feasible only if those measures are applied by the coastal State itself over the stocks' entire habitat area.

3. Conservation and management of highly migratory fish species will be effective only if other interested States, in addition to coastal States, participate in appropriate measures.

4. Licences to fish straddling fish stocks and highly migratory fish stocks should be issued only by the flag State.

5. It seems unlikely that the vessel marking standards worked out within the framework of FAO would be applicable to all vessels conducting fishing operations or to all regions. Practical matters such as these should be resolved on a bilateral basis (between the coastal States and the States conducting the fishing operation) or within the framework of the appropriate international fishing organization.

6. Inspections and surveillance are effective measures to conserve straddling fish stocks and highly migratory fish stocks.

Surveillance of straddling stocks occurring outside the exclusive economic zone should be carried out on the basis of agreements between the coastal State and other interested States, or within the framework of the competent international organization.

The status of observers and their rights, duties and responsibilities should be clearly defined. The flag State or international organization which sends an observer on board a vessel shall be responsible for all expenses connected with the maintenance of the observer.

Inspections of the above fisheries are carried out by the flag State or on a bilateral or multilateral basis or by agreement between the member States of an international fishing organization.

7. Liability for violations of standards and regulations for the conservation and management of straddling fish stocks and highly migratory fish species should rest with the State of the flag vessel. The liable State should pay compensation for losses suffered by the coastal State.

8. Material and other liability for unjustified seizure of a vessel beyond the outer limits of the exclusive economic zone should be borne by the State effecting the seizure.